

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

1-9 (canceled)

10 (currently amended): An isolated nucleic acid that encodes [a UCP2] an  
Uncoupling Protein 2 (UCP2) polypeptide [in accordance with claim 4], wherein the codon of  
said nucleic acid corresponding to the codon encoding amino acid residue 55 (Ala) of SEQ ID  
NO:1 is a member selected from the group consisting of GCT, GCC, GCA, and GCG, wherein  
the codon corresponding to the codon encoding amino acid residue 219 (Thr) of SEQ ID NO:1 is  
a member selected from the group consisting of ACT, ACC, ACA, and ACG, and wherein said  
nucleic acid is operably linked to a promoter.

11 (original): An isolated nucleic acid that encodes a UCP2 polypeptide in  
accordance with claim 10, wherein said nucleic acid is contained in an expression vector.

12 (currently amended): An expression vector containing [the] a nucleic acid [of  
claim 4] encoding [a UCP2] an Uncoupling Protein 2 (UCP2) polypeptide in operative  
association with a regulatory element that controls expression of the nucleic acid in a host cell,  
wherein the codon of said nucleic acid corresponding to the codon encoding amino acid residue  
55 (Ala) of SEQ ID NO:1 is a member selected from the group consisting of GCT, GCC, GCA,  
and GCG, and wherein the codon corresponding to the codon encoding amino acid residue 219  
(Thr) of SEQ ID NO:1 is a member selected from the group consisting of ACT, ACC, ACA, and  
ACG.

13 (currently amended): A cell comprising a recombinant nucleic acid [in  
accordance with claim 4] encoding an Uncoupling Protein 2 (UCP2) polypeptide, wherein the  
codon of said nucleic acid corresponding to the codon encoding amino acid residue 55 (Ala) of

4 SEQ ID NO:1 is a member selected from the group consisting of GCT, GCC, GCA, and GCG,  
5 and wherein the codon corresponding to the codon encoding amino acid residue 219 (Thr) of  
6 SEQ ID NO:1 is a member selected from the group consisting of ACT, ACC, ACA, and ACG.

1 14 (original): A cell in accordance with claim 13, wherein said recombinant  
2 nucleic acid is in operative association with a regulatory element that controls the expression of  
3 the nucleic acid in a host cell.

1 15 (currently amended): A method of making [a UCP2] an Uncoupling Protein 2  
2 (UCP2) polypeptide, said method comprising:

3 introducing a nucleic acid [of claim 4] encoding a UCP2 polypeptide into a host  
4 cell or cellular extract, wherein the codon of said nucleic acid corresponding to the codon  
5 encoding amino acid residue 55 (Ala) of SEQ ID NO:1 is a member selected from the group  
6 consisting of GCT, GCC, GCA, and GCG, and wherein the codon corresponding to the codon  
7 encoding amino acid residue 219 (Thr) of SEQ ID NO:1 is a member selected from the group  
8 consisting of ACT, ACC, ACA, and ACG;

9 incubating said host cell or cellular extract under conditions such that said UCP2  
10 polypeptide is expressed in said host cell or cellular extract; and

11 recovering said UCP2 polypeptide from said host cell or cellular extract.

16-23 (canceled)

1 24 (new): The nucleic acid of claim 10, wherein said codon corresponding to  
2 codon 55 of SEQ ID NO:1 is GCC.

1 25 (new): The nucleic acid of claim 10, wherein said codon corresponding to  
2 codon 219 of SEQ ID NO:1 is ACT.

1 26 (new): The nucleic acid of claim 10, wherein the UCP2 polypeptide has the  
2 amino acid sequence shown in SEQ ID NO:1.

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PATENT

Response and Prel. Amdt. dated December 23, 2003

Reply to Rest. Requirement of June 24, 2003

- 1                    27 (new): The nucleic acid of claim 10, wherein the nucleic acid has the
- 2    nucleotide sequence shown in SEQ ID NO:2.